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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,648	01/03/2001	Raymond T. Hebert	M-10970 US	6710

28765 7590 07/23/2004

WINSTON & STRAWN
PATENT DEPARTMENT
1400 L STREET, N.W.
WASHINGTON, DC 20005-3502

EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 07/23/2004

19

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/756,648

Applicant(s)

HEBERT ET AL.

Examiner

Jennifer T Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6,12-17,20-24,28-35,37,41,43-57,59,80 and 85-108 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,6,12-17,20-24,28-35,37,41,43-57,59,80 and 85-96 is/are allowed.
- 6) ☒ Claim(s) 97-102 and 104-108 is/are rejected.
- 7) ☒ Claim(s) 103 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to Amendment filed on 5/13/2004.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 97, 98, 100-102, 104, and 106-107 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luber et al. (U.S. Patent No. 6,430,433).

Regarding claims 97, 98, 100, and 104, referring to Figs. 1 and 2, Luber teaches an apparatus including a video interface for a remote display, comprising: a video processing circuit (101) configured to output a baseband video signal, said video signal comprising a serial data stream having repetitive sequence of three color fields, wherein at least some of the same color fields are repeated in the serial data stream; a remote receiver (118) configured to receive said baseband video signal; and a remote electronic circuit (not shown) interconnected to said receiver (118) and to a video display device (118), said remote electronic circuit configured to apply said baseband video signal to control and drive said video display device (118) (from col. 1, line 51 to col. 2, line 54 and from col. 2, line 66 to col. 3, line 28).

Luber differs from claims 97, 98, 100, and 104 in that he does not specifically teach the baseband video signal having a bandwidth of at least about 85 MHz. However, it would have been obvious to obtain the baseband video signal having a bandwidth of at least about 85 MHz in order to provide a high quality display images with high resolution.

Art Unit: 2674

Regarding claim 101, Luber teaches a transmitter circuit (7) coupled to receive the baseband video signal, and to transmit the baseband video signal to the remote receiver over a coaxial cable (9) (from col. 1, line 51 to col. 2, line 54 and from col. 2, line 66 to col. 3, line 28).

Regarding claim 102, Luber teaches the video processing circuit is coupled to receive an input from a video image system (from col. 1, line 51 to col. 2, line 54 and from col. 2, line 66 to col. 3, line 28).

Regarding claim 106 and 107, Luber further teaches a headset (5) to be worn by a user, said headset (5) incorporating said receiver and said video display device (from col. 1, line 51 to col. 2, line 54 and from col. 2, line 66 to col. 3, line 8).

4. Claims 104 and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luber et al. (U.S. Patent No. 6,430,433) in view of Cho (U.S. Patent No. 6,154,300).

Regarding claims 104 and 105, Luber differs from claims 104 and 105 in that he does not specifically teach the remote receiver comprises a photodetector that receive the baseband video signal. However, referring to Fig. 7, Cho teaches receiver (70) comprises a photodetector that receive the baseband video signal (from col. 3, line 40 to col. 4, line 60). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the receiver comprises a photodetector that receive the baseband video signal as taught by Cho in the system of Luber in order to provide a system with low power density of LED and avoid potential eye damage.

5. Claims 99 and 108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luber et al. (U.S. Patent No. 6,430,433) in view of Kosugi et al. (U.S. Patent No. 6,483,483).

Art Unit: 2674

Regarding claim 99, Luber differs from claim 99 in that he does not specifically teach video processing circuit is coupled to an audio receiver for receiving an audio signal. However, Kosugi teaches video processing circuit is coupled to an audio receiver for receiving an audio signal (col. 5, lines 30-59). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the audio receiver as taught by Kosugi in the system of Luber in order to provide a comfortable display system that can audio communication from receive location to the remote base station easily.

Regarding claim 108, the combination of Luber and Kosugi teaches two separate video display devices, and the baseband video signal comprises a first video signal for a first display device alternate with a second video signal for a second display device (col. 4, lines 4-67 of Kosugi).

6. Claim 103 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 1, 6, 12-17, 20-24, 28-35, 37, 41, 43-57, 59, 80, and 85-96 are allowed.

8. Applicant's arguments with respect to claims 1, 6, 12-17, 20-24, 28-35, 37, 41, 43-57, 59, 80, and 85-108 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

Art Unit: 2674

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks


Washington, DC. 20231

Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

JNguyen
07/12/2004


REGINA LIANG
PRIMARY EXAMINER